

Name and address:
Ben Suter, CASB No. 107680
Stacey M. Garrett, CASB No. 155319
Keesal, Young & Logan
400 Oceangate, Suite 1400
Long Beach, California 90802

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Kelly Toys Holdings, LLC; Jazwares, LLC; Kelly Amusement
Holdings, LLC; and Jazplus, LLC

Plaintiff(s),

v.

Build-A-Bear Workshop, Inc.

Defendant(s),

CASE NUMBER

2:24-cv-01169-JLS-MAR

APPLICATION OF NON-RESIDENT ATTORNEY
TO APPEAR IN A SPECIFIC CASE
PRO HAC VICE

INSTRUCTIONS FOR APPLICANTS

- (1) The attorney seeking to appear pro hac vice must complete Section I of this Application, the certification in Section II, and have the designated Local Counsel sign in Section III. Space to supplement responses is provided in Section IV. The applicant must also attach a Certificate of Good Standing (issued within the last 30 days) from every state bar to which he or she is admitted; failure to do so will be grounds for denying the Application. Scan the completed Application, together with any attachment(s), to a single Portable Document Format (PDF) file.
- (2) Have the designated Local Counsel file the Application electronically using the Court's electronic filing system ("Motions and Related Filings => Applications/Ex Parte Applications/Motions/Petitions/Requests => Appear Pro Hac Vice (G-64)"), attach a Proposed Order (using Form G-64 ORDER, available from the Court's website), and pay the required \$500 fee online at the time of filing (using a credit card). The fee is required for each case in which the applicant files an Application. Failure to pay the fee at the time of filing will be grounds for denying the Application. **Out-of-state federal government attorneys are not required to pay the \$500 fee.** (Certain attorneys for the United States are also exempt from the requirement of applying for pro hac vice status. See L.R. 83-2.1.4.) A copy of the G-64 ORDER in Word or WordPerfect format must be emailed to the generic chambers email address. L.R. 5-4.4.2.

SECTION I - INFORMATION

Mackey, Philip J.

Applicant's Name (Last Name, First Name & Middle Initial)

check here if federal government attorney ☐

Lewis Rice LLC

Firm/Agency Name

600 Washington Ave

314-444-1343

314-612-1343

Suite 2500

Telephone Number

Fax Number

Street Address

St. Louis, Missouri 63101

pmackey@lewisrice.com

City, State, Zip Code

E-mail Address

I have been retained to represent the following parties:

Build-A-Bear Workshop, Inc.

☐ Plaintiff(s) ☒ Defendant(s) ☐ Other: _____

☐ Plaintiff(s) ☐ Defendant(s) ☐ Other: _____

Name(s) of Party(ies) Represented

List all state and federal courts (including appellate courts) to which the applicant has been admitted, and provide the current status of his or her membership. Use Section IV if more room is needed, or to provide additional information.

<u>Name of Court</u>	<u>Date of Admission</u>	<u>Active Member in Good Standing? (if not, please explain)</u>
Missouri Supreme Court	09-24-1999	Yes
Illinois Supreme Court	11-09-2000	Yes
USDC, Colorado	08-27-2015	Yes

List all cases in which the applicant has applied to this Court for *pro hac vice* status in the previous three years (continue in Section IV if needed):

<u>Case Number</u>	<u>Title of Action</u>	<u>Date of Application</u>	<u>Granted / Denied?</u>

If any *pro hac vice* applications submitted within the past three (3) years have been denied by the Court, please explain:

Attorneys must be registered for the Court's electronic filing system to practice pro hac vice in this Court. Submission of this Application will constitute your registration (or re-registration) to use that system. If the Court signs an Order granting your Application, visit www.pacer.gov to complete the registration process and activate your e-filing privileges in the Central District of California.

SECTION II - CERTIFICATION

I declare under penalty of perjury that:

- (1) All of the above information is true and correct.
- (2) I am not a resident of the State of California. I am not regularly employed in, or engaged in substantial business, professional, or other activities in the State of California.
- (3) I am not currently suspended from and have never been disbarred from practice in any court.
- (4) I am familiar with the Court's Local Civil and Criminal Rules, the Federal Rules of Civil and Criminal Procedure, and the Federal Rules of Evidence.
- (5) I designate the attorney listed in Section III below, who is a member in good standing of the Bar of this Court and maintains an office in the Central District of California for the practice of law, in which the attorney is physically present on a regular basis to conduct business, as local counsel pursuant to Local Rule 83-2.1.3.4.

Dated 03/01/2024

Philip J. Mackey

Applicant's Name (please type or print)



Applicant's Signature

SECTION III - DESIGNATION OF LOCAL COUNSEL

Garrett, Stacey M.

Designee's Name (Last Name, First Name & Middle Initial)

Keesal, Young & Logan

Firm/Agency Name

400 Oceangate, Suite 1400

(562) 436-2000

(562) 436-7416

Telephone Number

Fax Number

Street Address

stacey.garrett@kyl.com

Long Beach, CA 90802

Email Address

City, State, Zip Code

155319

Designee's California State Bar Number

I hereby consent to the foregoing designation as local counsel, and declare under penalty of perjury that I maintain an office in the Central District of California for the practice of law, in which I am physically present on a regular basis to conduct business.

Dated March 1, 2024

Stacey M. Garrett

Designee's Name (please type or print)



Designee's Signature

SECTION IV - SUPPLEMENT ANSWERS HERE (ATTACH ADDITIONAL PAGES IF NECESSARY)

Section I - List all state and federal courts (including appellate courts) (cont'd)

U.S. District Court, Central District of Illinois, Admitted 01/11/2008, in good standing
U.S. District Court, Southern District of Illinois, Admitted 02/08/2006, in good standing
U.S. District Court, Eastern District of Missouri, Admitted 08/29/2000, in good standing
U.S. District Court, Western District of Missouri, Admitted 04/11/2004, in good standing

The Supreme Court of Missouri*Certificate of Admission as an
Attorney at Law*

I, Betsy AuBuchon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on 9/24/1999,

Philip Joseph Mackey

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 22nd day of February, 2024.

A handwritten signature in black ink that reads "Betsy AuBuchon". The signature is written in a cursive style with a large, looping initial "B".

Clerk of the Supreme Court of Missouri

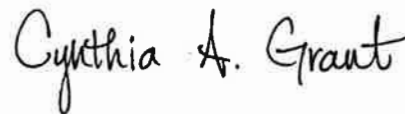
Certificate of Admission To the Bar of Illinois

I, Cynthia A. Grant, Clerk of the Supreme Court of Illinois, do hereby certify that

Philip Joseph Mackey

has been duly licensed and admitted to practice as an Attorney and Counselor at Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on 11/09/2000 and is in good standing, so far as the records of this office disclose.

IN WITNESS WHEREOF, I have hereunto
subscribed my name and affixed the
seal of said Court, this 22nd day of
February, 2024.



Clerk,
Supreme Court of the State of Illinois